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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/568,437	11/15/2005	George Marmaropoulos	US030124US	3512

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS  
P.O. BOX 3001  
BRIARCLIFF MANOR, NY 10510

EXAMINER

ZARROLI, MICHAEL C

ART UNIT PAPER NUMBER

2839

DATE MAILED: 08/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	Application No. 10/568,437	Applicant(s) MARMAROPOULOS ET AL.	
	Examiner Michael C. Zarroli	Art Unit 2839	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 November 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 November 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some    \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |                                                                                                                                               |                                                                                         |
|-----------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                                                   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                                          | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>11/15/05</u> . | 6) <input type="checkbox"/> Other: _____                                                |

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: 11a, 12a. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement-drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the examiner does not accept the changes, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Information Disclosure Statement***

2. The information disclosure statement filed 11/15/05 fails to comply with 37 CFR 1.98(a)(3) because it does not include a concise explanation of the relevance,

as it is presently understood by the individual designated in 37 CFR 1.56(c) most knowledgeable about the content of the information, of each patent listed that is not in the English language. It has been placed in the application file, but the information referred to therein has not been considered.

### *Specification*

3. The abstract of the disclosure is objected to because of the language indicating alleged benefits. Correction is required. See MPEP § 608.01(b).

### *Claim Objections*

4. Claims 1 & 6 objected to because of the following informalities: Antecedent problem with “said interconnect **device**.” The examiner assumes this device is the “element.” Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-4, 11 rejected under 35 U.S.C. 102(b) as being clearly anticipated by Banks.

Banks discloses an interconnect apparatus comprising: a wearable garment 10 having a body structure 12; and at least one interconnect element 66 having at least one electrically conductive contact portion 70 and an opening 68, said interconnect device coupled fig. 7 to a fabric circuit 64 integrated in said garment.

Claim 2 Banks discloses a connector 71 having at least one electrically conductive contact portion (col. 4 line 53), said connector being releasably coupled to said interconnect element (col. 4 line 53).

Claims 3 & 4 Banks discloses that the connector comprises a cable 72 extending therefrom and coupling with an electronics device 74.

Claim 11 Banks discloses a method for permitting a person to activate an electronic device conveniently, said method comprising the steps of: attaching at least one fabric circuit 64 in a wearable garment 10; mounting an interconnect device 66 having at least one conductive contact portion 70 to said wearable garment fig. 7; dressing said person in said wearable garment; and, selectively coupling a connector 71 having at least one conductive contact portion to said interconnect device (col. 4 line 53) to serve as a coupling to an electronic device 74.

7. Claims 7 & 12 rejected under 35 U.S.C. 102(b) as being clearly anticipated by Taylor.

Taylor discloses an interconnect apparatus fig. 4 comprising: a wearable garment 10 having a body structure fig. 4; at least one interconnect element (fig. 5 34, 35, 38 45 etc.) having at least one electrically conductive contact portion coupled to a first fabric circuit 32, 33 integrated in a first layer of said garment fig. 5; and, a connecting element 13, 17, 20, 21 having at least one electrically conductive contact portion coupled to a second fabric circuit 11 integrated in a second layer of said garment, wherein said interconnect element engages the connecting element via a releasable locking action so that the respective conductive contact portions come in contact electrically (fig. 4 belt connectors connect with the suit connectors).

Claim 12 Taylor discloses a method for permitting a person to activate an electronic device conveniently, said method comprising the steps of: attaching at least one fabric circuit 11, 32, 33 in a first layer 30 and a second layer 10 of a wearable garment fig. 4; mounting an interconnect device (fig. 5 34, 35, 38, 45) having at least one conductive contact portion to the first layer of said wearable garment fig. 5; mounting a connector 13, 17, 20, 21 having at least one conductive contact portion to the second layer of said wearable garment fig. 4; dressing said

person in said wearable garment; and, enclosing two layers of said wearable garment by engaging said connector to said interconnect device so that the respective conductive contact portions come in contact electrically (person connects belt).

***Claim Rejections - 35 USC § 103***

8. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary.

Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claim 5 rejected under 35 U.S.C. 103(a) as being unpatentable over Banks as applied to claims 1-3 above, and further in view of Allen.

Banks does not disclose connecting the cable to a power source.

Allen discloses connecting garment electrical wiring to a power source (abstract 1<sup>st</sup> sentence). At the time the invention was made it would have been obvious to one of ordinary skill in the art to modify the Banks circuitry by having the cable connect to a power source of some type of operation such as an illumination device as taught by Allen. The motivation for this is well known in the art and would be to increase the functionality of the garment by enabling something like a recharging circuit to be enclosed in the garment.

11. Claims 6-7 rejected under 35 U.S.C. 103(a) as being unpatentable over Banks as applied to claims 1-2 above, and further in view of Cover Sr..

Banks discloses that the interconnect device 66 is mounted on the outer surface of the said garment fig. 1 for engaging a unit 71, 72, 74. Banks does not disclose that the engagement is with units for transmitting electronic signals.

Cover discloses an interconnection device 26, 28 mounted on the outer surface of a garment 15 for engaging a unit ancillary with transmission of electronic signals (radio, figures 1 & 2). At the time the invention was made it would have been obvious to one of ordinary skill in the art to modify the circuitry of Banks to allow



connection with a device that transmits electronic signals as taught by Cover Sr..

The motivation for this change is well known in the art and would be to increase the functionality of the garment by enabling something like a signaling circuit to be enclosed in the garment.

Claim 10 Banks discloses that the connector 71 is a button fig. 1.

12. Claims 8-9 rejected under 35 U.S.C. 103(a) as being unpatentable over Taylor as applied to claim 7 above, and further in view of Cover Sr..

Taylor does not disclose that the first and second fabric circuits are coupled to a signaling device integrated in the body of the garment.

Cover Sr. discloses fabric circuits' coupled to a radio transmission device (figures 1 & 2). At the time the invention was made it would have been obvious to one of ordinary skill in the art to modify Taylor so that it would connect to electronic transmission circuitry as taught by Cover Sr.. Once again, the motivation for this change is well known in the art and would be to increase the functionality of the garment by enabling something like a radio signaling circuit to be enclosed in the garment.

*Conclusion*

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Art cited in the accompanying PTO-892 that was not cited in the above rejections teach garments with electrical connectors integral with the garment.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael C. Zarroli whose telephone number is 571-272-2101. The examiner can normally be reached on 7:30 to 3:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, T.C. Patel can be reached on (571) 272-2800 ext 39. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Michael C. Zarroli  
Primary Examiner  
Art Unit 2839

MCZ  
MCZ